

ATTORNEY DOCKET NO.: JC-7897-DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
 MING-DOU KER; KEI-KANG HUNG;
 AND TIEN-HAO TANG

Serial No.: 10/702,372

Filed: November 5, 2003

For: ELECTROSTATIC DISCHARGE
 PROTECTION CIRCUIT OF NON-GATED
 DIODE AND FABRICATION METHOD
 THEREOF

Group Art Unit: N / A

Examiner: N / A



25864

PATENT TRADEMARK OFFICE

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on October 14, 2004

Mary Kim

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT (SECOND)

Dear Sir:

This second preliminary amendment is filed in connection to
 the above-referenced application filed on November 5, 2003 that has
 been assigned Serial Number 10/702,372 and is a Divisional of
Copending Application Number 10/060,743.

In the September 29, 2003 dated Office Action of the parent application (10/060,743) a restriction requirement was made between Group 1, claims 1-33 and Group 2, claims 34-48. In the November 5, 2003 filed Reply to the September 29, 2003 dated Office Action, in the parent application (10,060,743), we elected Group 1 claims 1-33 and also cancelled claims 34-48.

This divisional application (10,702,372) was filed on November 5, 2003 electing Group 2, claims 34-48, and cancelled claims 1-33 in a first preliminary amendment.

On or about January 19, 2004 we received a phone message from Examiner W. David Coleman regarding the restriction requirement in the first Office Action in the parent application. He advised us of his error in the grouping of the claims and proposed an Examiner's Amendment in the parent application (10/060,743) by amending the restriction to:

Device Claims: 1-38; and 43-45

Method Claims: 39-42; and 46-48

We agreed with Examiner Coleman's proposed amendment in parent application (10/060,743) and verbally authorized him to elect Device Claims 1-38; and 43-45 in the parent application (10/060,743) and we agreed to prosecute Method Claims 39-42; and 46-48 in this divisional application (10/702,372).

LAW OFFICES OF

WU & CHEUNG, L.L.P.

7700 IRVINE CENTER DRIVE, SUITE 710
IRVINE, CALIFORNIA 92618 - 3043 U.S.A.

TELEPHONE: (949) 251 - 0111

FACSIMILE: (949) 251 - 1588

E-MAIL: INFO@WCLAWYERS.COM

WWW.WCLAWYERS.COM

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SUBJECT: SERIAL NO.: 10/702,372

FILED: NOVEMBER 5, 2003

FOR: ELECTROSTATIC DISCHARGE PROTECTION CIRCUIT OF NON-GATED DIODE AND FABRICATION METHOD THEREOF